

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EXECUTIVE AMBULATORY SURGICAL
CENTER, LLC, as Assignee of Kenneth Taylor,

Plaintiff,

v.

Case No. 21-11901

GREAT WEST CASUALTY COMPANY,
PROGRESSIVE MICHIGAN INSURANCE
COMPANY, AND PROGRESSIVE
MARATHON INSURANCE COMPANY,

Defendant.

**ORDER DIRECTING DEFENDANTS TO PRODUCE DOCUMENTS AND SETTING
STATUS CONFERENCE**

The court previously stayed this action and ordered a short period of jurisdictional discovery to clarify the citizenship of the different parties in this matter. (ECF No. 24.)

After the deadline for such discovery had passed, the court held an off-the-record telephonic status conference on February 22, 2022 to determine the status of the jurisdictional discovery. During the conference, the court was advised by counsel for Defendant Great West that it had not yet received requested articles of incorporation or other State of Michigan-filed organizational documents demonstrating that Defendants Progressive Marathon and Progressive Michigan are Michigan corporations, an issue which may affect diversity jurisdiction in this case. Accordingly,

IT IS ORDERED that by **March 15, 2022**, Defendants Progressive Marathon and Progressive Michigan shall provide to counsel for Great West and to counsel for plaintiff Executive Ambulatory herein their respective articles of incorporation or other State of

Michigan-filed organizational documents demonstrating that as of the date of removal they were Michigan corporations or, in the alternative, shall serve signed interrogatory responses stating such documents do not exist; if either has not done so by **March 15, 2022**, counsel for Defendant Great West may notice the deposition duces tecum of the corporate secretary and/or general counsel of parent Progressive Corp. or other appropriate witness for deposition on a mutually convenient date prior to or on **March 31, 2022**, said deposition to be taken by Zoom or equivalent technology.

IT IS FURTHER ORDERED that counsel for the parties shall submit a joint written status report to the court no later than **April 4, 2022**, and the court will conduct a further telephonic status conference in this matter on **April 12, 2022, at 10 a.m.**, unless an earlier date is jointly requested by counsel.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 23, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 23, 2022, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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